

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI
3 NOVEMBER 1948

This regular meeting of the City Council of the City of Lodi was called to order by the Mayor at 8:00 o'clock P.M. of Wednesday, November 3, 1948, Councilmen Bull, Haskell, Lytle, Tolliver and Rinn (Mayor) present, none absent.

Minutes of the meetings of October 6th and October 20th, 1948 as mailed to each Councilman were approved as written.

COMMUNICATIONS -

COORDINATING COUNCIL REGARDING DIRECTOR OF RECREATION. Lodi Coordinating Council, through City Manager Weller, requested that the City Council give careful consideration in appointing a successor to Mr Arvid O. Pauly, as Director of Recreation. Mr Weller was advised by the Mayor that he should assure the Coordinating Council that the City Council would weigh the merits of all applicants for this appointment carefully and that notice of the impending appointment would be brought to the attention of as many eligible persons as possible.

FIRST CHURCH OF GOD PETITION FOR ALLEY VACATION. First Church of God, owners of a majority of the lots rearing on an unused alley in Block 6, Resubdivision of Block 2, Burr's Addition to Lodi petitioned the City Council that this alley be vacated. It appearing that the City Planning Commission, at its meeting of May 17, 1948 had recommended that this alley be abandoned, it was directed that the City Clerk prepare the necessary resolution of intention, have it approved by the City Attorney and submit it for action at the next meeting.

USE PERMIT OF FOUNTAIN. On the receipt of a report approving the granting of a use permit to Ralph & Mildred Fountain to allow the conducting of a "tea room" at No. 229 South Hutchins Street, this action was affirmed and such permit allowed, motion Councilman Haskell, Lytle, conditions stated in the Planning Commission's report to be coupled with the issuance of this permit.

CITY PLAN COMMISSION STATE HWAY 53(12). The City Planning Commission also presented a copy of its Resolution No. 22, adopted October 18th, requesting that the Division of Highways prepare precised plans for the widening of Kettleman-Terminus Road from Mosley Road to Cherokee Lane and fix a building set back line along this part of the highway. On motion of Councilman Bull, Haskell second, the proposal of the Planning Commission was given the approval of the City Council as a necessary part of the street and highway plan of the City and surrounding territory.

REPORTS OF THE CITY MANAGER -

ORDINANCE NO. 375 ADOPTED. Mr E. D. Weller, City Manager, presented the draft of Ordinance No. 375 introduced at the meeting of October 20, 1948 and read a letter from the Association of Local Contractors requesting that a special section be inserted in this ordinance relating to the licensing of "Contractors". Mr Emery Conrad, representing Claude C. Wood Company objected to the number of employees as a base for licensing, claiming that this would entail more and involved bookkeeping. Mr Weller explained the working of the pending ordinance, stating that many of the objections brought up could be handled as administrative problems. The City Council agreed that this ordinance should be adopted as introduced, the matters in question to be settled in conferences with individual contractors and the City Manager and amendments to be proposed and adopted in found necessary. ORDINANCE NO. 375 entitled "LICENSING FOR THE PURPOSES OF REVENUE, CERTAIN PROFESSIONS, BUSINESSES, TRADES AND OCCUPATIONS IN THE CITY OF LODI" was then brought up for adoption, second reading omitted after reading by title by unanimous consent, then finally passed, adopted and ordered to print by the following vote:

AYES: Councilmen, Tolliver, Lytle, Bull, Haskell and Rinn

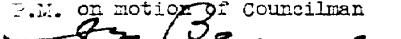
NOES: Councilmen, None. ABSENT: None.

Mayor Rinn then signed Ordinance No 375 in approval thereof.

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| <p>SUNDAY CLOSING BUTCHER SHOPS</p> | <p>Mayor Rinn then departed from the calendar of this meeting and invited discussion from persons present regarding Ordinance No. 271 regulating the hours of business for the sale of fresh and uncooked meats, it appearing that several arrests and convictions had been had lately for infractions of this ordinance. Mr Richard Lauder milk of the Butchers Union asked that this ordinance be retained in its present form. Reverend M. P. Bailey of the Seventh Day Adventist Church introduced Mr F. G. Asbaugh, representative of the Religious Liberty Association. Mr Asbaugh spoke in favor or repeal of this ordinance as one affecting the religious views of many citizens, suggesting that if such an ordinance was necessary, that it not state the day during which these meats could be legally sold but that such prohibition be enforced by stating that meat markets could operate for six continuous days with the seventh day closed. Councilman Bull recalled the circumstances and agreements made at the time the questioned ordinance was adopted in 1941. Mr Norman Course of San Joaquin County Retail Merchants Association also spoke, stating that this ordinance was intended to give employers and employees a day of rest and Sunday being the day generally observed, it had been so designated in this and similar ordinances throughout the State. The Mayor then assured all parties present, that the City Council would immediately give this ordinance consideration hoping that a solution could be reached acceptable to all parties.</p> |
| <p>FIRST ST STORE DRAINAGE</p> | <p>Mr Weller then presented the request of Donald Bianchetto and Frank Lucchesi for drainage of their lots in Koontz Addition on First Street near Lincoln Avenue. It appearing that the situation at this location and the cost of construction warranted the immediate installation of drainage structures, the City Engineer was directed to proceed with the work necessary.</p> |
| <p>XMAS Decorations</p> | <p>The sum of \$1,000 or so much as might be necessary was appropriated from advertising and promotion moneys to match moneys of the Lodi Retail Merchants Bureau for holiday decorations, the Merchants Bureau having overlooked including this request in the annual budget adopted last July, motion Councilman Tolliver, Lytle second.</p> |
| <p>ANNEXATION OF LOTS 1, 2 & 3 WALNUT ADDN. APPROVED</p> | <p>Mr Weller's favorable report on the application of T & D Jr Enterprises, Inc. for annexation of the lands owned by that corporation on the Southwest corner of Lodi and Walnut Avenues met with the approval of the City Council and the City Clerk and the City Attorney directed to initiate proceedings for the the annexation of Lots 1, 2 and 3 of "Walnut Addition" the same being the lands sought by this owner to be annexed.</p> |
| <p>RES 1440 ADOPTED</p> | <p>Plans and Specifications for additions to the Employment Building on the SW corner of Locust and Stockton Streets were adopted and the prevailing wage rate for this work established by the adoption of Resolution No. 1440, introduced by Councilman Bull, Tolliver second and passed without dissenting vote.</p> |
| <p>CHEROKEE TRAFFIC SIGNALS ADDITIONAL COSTS</p> | <p>Mr Weller stated that Mr R. V. Potter, City Projects Engineer, District X, Division of Highways had requested that the City run a direct connecting electrical circuit to the traffic signals now being installed on Cherokee Lane. Mr T. G. Killea estimated the cost to be \$865.68, which estimate had been forwarded to the Highway Department, payment to come from the money unexpended under the estimate for installing these devices.</p> |
| <p>JOHN-MANVILLE CONTRACT AMENDED RES 1441</p> | <p>Amendment to the agreement with Johns-Manville Sales Corporation dated May 14, 1947 so as to provide transite pipe deliveries in sizes other than those set forth in the agreement and at other dates than specified was approved by the adoption of Resolution No. 1441, introduced by Councilman Bull, Haskell second and passed without dissenting vote.</p> |

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| RENTAL OF PART OF DISPOSAL LAND AUTHORIZED | Mr. Weller reported that he had had two applications for rental of excess lands at the Harney Lane Refusal Site and was instructed to let this ground at such rate as would be most advantageous to the City. |
| POLICE REPORT | The monthly report of Millard L. Fore, Chief of Police was read and ordered filed. |
| OPENING OF W. VINE ST PETITIONED | A petition for the opening of West Vine Street from Lee Avenue to South Hutchins Street and for the installation of drainage facilities was referred to the City Manager for consideration. |
| BICYCLE LICENSING ORDINANCE | On the recommendation of the City Manager, it was directed that an ordinance providing for the licensing of bicycles be prepared for submission to the City Council. |
| COST OF OPERATION SANITARY FILL | A report on the cost of operation of the sanitary fill refuse disposal grounds on Harney Lane was read. The cost to the City in October was \$580.00 for the disposal of 167 loads of waste aggregating 64 cubic yards originating from points outside the City and 157 loads of 50 cubic yards of City collected wastes. |
| CLOSING OF ALLEY IN BLK 8, MOKELELUMNE TEMPORARILY APPROVED | The action of the City Manager and the Street Superintendent allowing M & K Corporation, builders of a store building at 115 South School to close the public alley running east and west through Block 8, Mokelumne to a point about twenty feet west of the building at 109-1111 South School Street was approved, during construction of this building and subject to the conditions enumerated in the conditional permit. |
| BUSINESS LICENSE APPLICATIONS | Business license applications presented October 20th were approved for issuance, also an application from Nicolas Felten for a merchants license in the Tokay Shopping Center. |
| PAY ROLLS | Payrolls for the month of October in the amount of \$31,917.36 as submitted were allowed and payments confirmed on motion of Councilman Haskell, Lytle second. |
| ORDINANCE 376 ADOPTED | ORDINANCE NO. 376, entitled, " PROVIDING REGULATIONS FOR USE OF WASTE DISPOSAL GROUNDS AND FOR AMENDING SUCH REGULATIONS " having been introduced on October 20, 1948, was brought up for adoption on motion of Councilman Bull, Haskell second, second reading omitted by unanimous consent and then passed, adopted and ordered to print by the following vote: AYES: Councilmen Bull, Haskell, Lytle, Tolliver and Rinn. NOES: Councilmen, None. ABSENT: None. Mayor Rinn then signed Ordinance No. 376 in approval thereof. |
| REZONING OF LOTS 37, 38, 39 WALNUT ORCHARD TRACT. ORDINANCE NO. 377 INTRODUCED. | Due publication of notice then being proven by affidavit, a public hearing was then held on the proposed change in zoning of Lots 37, 38 and 39, Walnut Orchard Tract. The Clerk reported that no written protests had been filed with him and on a call for oral objections, none were offered. It was then moved by Councilman Bull, Haskell second that this rezoning be made effective by the passage of Ordinance No. 377, entitled " AMENDING ORDINANCE NO. 365 ADOPTED MARCH 3, 1948 FOR THE PURPOSE OF REZONING EACH OF LOTS 37, 38 AND 39 OF WALNUT ORCHARD TRACT " which said ordinance was then introduced, read and ordered to be laid over for the statutory period of not less than five days. Councilman Lytle reported briefly on matters considered at the last meeting of Lodi Coordinating Council, particularly as to efforts to secure assistance from the Police Department in making contacts with children of school age. Adjournment was had at 11:10 P.M. on motion of Councilman Tolliver. <div style="text-align: right;"></div> |